

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Group Art Unit: 1626

Artis et al

Customer no.: 09157

Serial No.: 10/676,706

Conf. No.: 8143

Filed: 30 September 2003

Examiner: Shameem, Golam M

For: INTEGRIN RECEPTOR INHIBITORS

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being faxed with the United States Patent and Trademark Office addressed to: Commissioner for Patents, facsimile No. (703) 872-9307 on

17 September 2004


David W. Evans

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your petitioner, Genentech, Inc., having a place of business at 1 DNA Way, South San Francisco, California 94080-4990 in the county of San Mateo has reviewed the evidentiary documents set forth hereinbelow and certifies to the best of Genentech's knowledge and belief that title in and to the herein application and in the referenced U.S. Patent No. 6,706,753 reside in Genentech, Inc.

10/676,706

Page No. 2

Your petitioner, Genentech, Inc., represents that it is the owner of the entire right, title, and interest in and to application U.S. Serial No. 10/676,706 filed September 30, 2003 by virtue of an assignment, and is also the owner of the entire right, title and interest in and to U.S. Patent No. 6,706,753 filed December 6, 2002 and issued March 16, 2004 by virtue of an assignment recorded on October 1, 2001 at reel/frame 012222/0432.

Your petitioner hereby disclaims the terminal part of any patent granted on the herein application Serial No. 10/676,706 that would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of said Patent No. 6,706,753 and hereby agrees that any patent so granted on the herein application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,706,753 this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of Patent No. 6,706,753 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above. Petitioner reserves the right to extend the shortened term of any patent granted on the above-identified application due to regulatory delays pursuant to 35 U.S.C. §156.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

10/676,706

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The Commissioner is authorized to charge the statutory fee of \$110 required for filing this Disclaimer to Deposit Account No. 07-0630. Please charge any deficiency or credit any overpayment to Account 07-0630. A duplicate of this sheet is enclosed.

Respectfully submitted,
GENENTECH, INC.

Date: September 17, 2004

By: 

David W. Evans

Reg. No. *

Telephone No. (650) 225-1739



09157

PATENT TRADEMARK OFFICE

*A copy of a document pursuant to 37 C.F.R. § 10.9(b) is attached as proof of the authorization of the above to prosecute the attached application. The original of this document is on file in the Office of Enrollment and Discipline.

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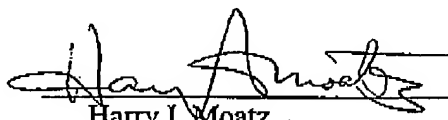
**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATES PATENT AND TRADEMARK OFFICE**

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

David Evans is hereby given limited recognition under 37 CFR § 10.9(b) as an employee of Genentech, Inc. to prepare and prosecute patent applications in which Genentech, Inc. is the assignee of record of the entire interest. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) David Evans ceases to lawfully reside in the United States, (ii) David Evans' employment with Genentech, Inc. ceases or is terminated, or (iii) David Evans ceases to remain or reside in the United States on an H1B1 visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the United States Patent and Trademark Office.

Expires: April 6, 2005



Harry I. Moatz
Director of Enrollment and Discipline